

CLAIMS PRINCESS BROKE PROMISES

So Third Time Chaloner Declined to Pay Dress-maker's Bill.

BIG SUMS SPENT ON FINE RAIMENT

Former Husband of Princess Troubetzkoy Ridicules Her Claims to Dower Rights in His Property—Tells How He Had to Pay Heavily for Her Clothes.

John Armstrong Chaloner was seen yesterday at the Westmoreland Club relative to the Princess Amelie Troubetzkoy's reply to his signed statement concerning her claim of dower rights in his property. He gave out the following signed statement in defense of his residuary legatee, the University of Virginia and the University of North Carolina, to which institutions he has left practically his entire fortune:

"When, according to a New York City newspaper, its representative called upon Princess Troubetzkoy recently concerning my statement that I should resist in the courts further payment of the \$3,500 allowance, Justice Blanchard of the New York Supreme Court granted Princess Troubetzkoy, with my consent, in a decree recently signed by him, unless she withdrew her claim to dower right in my real estate, which claim she for the first time set up during the legal proceedings preceding the issuance of the said decree, in reply to a question as to if she had released her dower right in John Armstrong Chaloner's real property," when said representative put my signed statement before her she is reported as having replied:

"Poor boy! What does he mean by that? There is no question of my dower right involved. Of course, I shall not relinquish it."

The interviewer was shown a letter to Mr. Chaloner's Virginia agents, from Thomas T. Sherman, lawyer of the firm of Evers, Choate & Sherman, 60 Wall Street, New York, to the committee of the New York Supreme Court and property appointed by the New York Supreme Court, with the remark that he had steadily refused to recognize said act of the New York Supreme Court and consequently had never written personally a line to Mr. Sherman since the latter's said appointment in December, 1901, but all business was carried on by third parties.

The following is an extract of Mr. Sherman's letter:

Evers, Choate & Sherman, 60 Wall Street, New York, May 3, 1911.

Dear Mr. Money, I have your note of yesterday stating that Mr. Chaloner wishes me to keep a file in the court records a letter of his that was put in evidence by Princess Troubetzkoy. The letter you refer to was produced and only a portion of it read in evidence, and the original was retained by her. The following is a copy of the testimony given by the Princess Troubetzkoy with reference to the dower right:

"Q. Have you released your dower right in Mr. J. A. Chaloner's real property? A. I have not. I do not give up or relinquish my dower right. I have, and the annual allowance I now ask for, if granted, is not to be deemed to be in satisfaction of my dower right or to release or affect it in any way."

She has never made any claim for anything until this recent matter came up. I assure you truly,

(Signed) THOMAS T. SHERMAN.

Mr. Chaloner's signed statement continues:

"Not Speaking by Card." A perusal of Mr. Sherman's letter to my Virginia agent proves that Princess Troubetzkoy very well knew, on the record, what I meant "by card." A perusal of said letter also proves that Princess Troubetzkoy was to put it mildly—not speaking by the card when she remarked, according to said reporter, "There is no question of my dower right involved," and although she alleges that the dower right is not involved, she lost no time in attempting to involve it by annexing it with the words, according to said newspaper account, "of course, I shall not relinquish it." Lastly, a perusal of said letter proves that Princess Troubetzkoy has never before had any assurance to lay down the dower right in my property, and that she did not disclose her hand in that regard until blank "Have you released your dower right?" indicating that she was to speak lying low with the purpose of attempting to ambush my will in the event of her surviving me by bringing forward a so to speak, post mortem claim to a dower she knew was bogus and dared not push forward during my lifetime.

Practical Claim to Dower.

"For what are the grounds for said purely practical claim for dower? Said decree was granted in September, 1908, at Sioux Falls, S. D., is silent as the Sphinx upon the question of all money and dower. Such being the case, under the circumstances surrounding the granting of the divorce, the dower right ceased to exist with the granting of the absolute divorce decree. Mr. Sherman's letter says this is the first time Princess Troubetzkoy has made any claim for dower right. His words are: 'She has never made any claim for anything.' She was wise in this, for the following two exhibits of her following item, namely: That Princess Troubetzkoy wears she is in the proceedings before the referee appointed

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SHORTAGE FOUND BY ACCOUNTANTS

Finance Committee to Get Report on Collector's Books.

NEW SCHEME TO HELP ESTATE

Lawyers for Mrs. Cunningham Are Trying to Have Hulce Split Commissions With Widow, but Council Must Give Its Approval First.

Additional shortage in the accounts of former City Collector Frank W. Cunningham, amounting to about \$500 have been unofficially reported to Chairman H. R. Pollard, Jr., of the Council Committee on Finance. Accountants examining the office have under scrutiny items aggregating about \$3,000, in which there is some evidence of irregularity. When asked last night as to the report current among members of the Council since the meeting last Friday night, Chairman Pollard admitted that he had been informed of the shortage, but that the official report had not been made as yet, the further examination of accounts not having been completed. The matter, he said, would be laid before the Mayor and Finance Committee in due course. The city is amply protected by the bond of the former collector, which was in the sum of \$50,000, with the Virginia Trust Company as surety. Would Divide Fees.

A canvass of members of the Council is being made by Messrs. D. C. O'Flaherty and M. J. Fulton, counsel for the Cunningham family, urging that the office of City Collector, now operated by former First Deputy Herbert Hulce, be continued on a commission basis until the general election, the incumbent to divide the fees with the widow of Captain Cunningham.

Mr. O'Flaherty said last night that regardless of the merits of the controversy, which led to Captain Cunningham's removal and the election of Collector ad interim, he thought that it would be manifestly unfair to cut off the income to his estate from the office at this juncture. He explained that during the first of the fiscal year, there was a large amount of work in making out thousands of tax bills, and some cost in the payment of deputies, which work yielded practically no return until tax payments are made on the city assessment in July.

Recap No Benefit From Office.

"It is like sowing a crop that the other fellow reaps," explained Mr. O'Flaherty. "Previous to my suspension, Mr. Cunningham had paid the cost of making out these bills, and had borne the cost of the salaries of his deputies who had been paid by him to April 1. In that time, however, practically no money had been paid in commission basis, so that on a commission basis he had received but little return for his work. I think the Council should reimburse the Cunningham estate for the salaries of the deputies to April 1, of this year, and the cost of making this year's tax bills, all the money which will be reaped by the incoming office."

Cannot Pension Widow.

Several members of the Council interviewed last night did not see the wisdom in this light, saying that the office was a dead one which terminated with the death of Captain Cunningham, and that a bill to pension his widow was beyond the powers of the Council.

Meanwhile conditions in the office are in a somewhat anomalous shape. Following the suspension of Captain Cunningham, Mr. Hulce was elected Collector ad interim, at a salary of \$300 per month, and it was provided that on that date his deputies should receive the same salary they had received when they were under Captain Cunningham had he remained in office. The deputies, therefore, are looking to the Cunningham estate for payment from April 1 to the date of his suspension, but having shown that the office was a dead one which terminated with the death of Captain Cunningham, and that a bill to pension his widow was beyond the powers of the Council.

Fees Last Year \$1,027.

Long before the present agitation arose the Council passed a bill reducing the scale of commissions of the office from 5 to 10 percent, the Auditor's report having shown that Captain Cunningham drew from the city in commissions last year \$11,027.35. The Board of Aldermen amended the measure so that it would not take effect until January 1, 1911. When it came back to the Council last Friday night for concurrence in the amendment, the lower branch tabled the whole matter. It may be called up at any time.

Meanwhile the Ordinance, Charter and Reform Committee has reported a resolution, which will come before the Council to-night for action, instructing the City Attorney to secure from the next Legislature such amendments to the Ordinance, Charter and Reform Committee has recently had referred to it a resolution fixing the salary of the Collector and of the various deputies in the office.

May Take No Action at Present.

Several members of the Council suggested last night that no action whatever was needed at this time, and it is probable if any will be taken, Mr. Hulce will serve under the law and according to the ruling of the City Attorney, until his successor is elected and qualified. He is on a salary of \$300 per month, in lieu of all fees, and his deputies draw the same salaries from the city as they formerly drew from the collector. So that until action is taken, the office is in effect on a salary basis. It would be necessary to adopt an ordinance permanently fixing it on that basis before the general election, otherwise the official, elected at that time would come in as Collector, not as Collector ad interim, and would therefore go back to the old scale of commissions on all money handled through the office.

Mr. Hulce has not yet indicated what he will do.

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FIRE FROM BEHIND CORPSE OF VICTIM

Bandits Use Body of Slain Officer as Barricade.

ONE SURRENDERS, OTHER IS KILLED

Post-Office Robbers Take Refuge in Schoolhouse, After Blowing Safe, and Give Desperate Battle to Posse. Marshal Is Shot Down Without Warning.

Jefferson, Va., May 7.—Marshal Bushy, of Patton, Va., and a bank robber were killed and a highwayman was seriously injured in a clash between a sheriff's posse and the bandits early to-day at a schoolhouse two miles from Patton.

The highwaymen broke into the post-office at Patton, blowing open the safe and taking several hundred dollars in stamps and money. The noise of the explosion was heard by a man, who was in the street at the time.

Marshal Bushy was called, and he and armed deputies started in pursuit of the robbers, who fled south. A posse also was organized at Dana. A search was made of the whole neighborhood, Marshal Bushy and several men, after dividing the pursuers into several searching parties, with instructions to scout the country, started back to Patton, believing that some hiding place had been overlooked. They came to a schoolhouse near Patton. Using no precaution whatever, the marshal went to the door and opened it. A report of a gun was heard. The marshal fell dead. One of the robbers dragged the body into the schoolhouse. Then a fusillade was begun between the robbers and the deputies.

Dead as a Bodyguard.

The lifeless body of Bushy was propped up in the window as a bodyguard, from behind which the robbers fired on the deputies.

By this time Sheriff Wilson and his assistants arrived on the scene. He called on the robbers to surrender. They received a volley of shots in reply. The assailants then poured a fusillade into the windows and doors of the schoolhouse. Finally one of the robbers staggered through the front doorway, wounded, saying: "Boys, I surrender, but my pal is going to fight with you, get him."

Sheriff Wilson gave the unarmed bandit a chance to surrender, but he refused. The fight was renewed. The firing lasted thirty minutes. Finally the robbers saw the robber stagger and Bushy's body fall from the window. A rush was made for the door. The robber was found dead with a bullet through his heart.

The wounded robber refused to give his name. His leg is shattered, and will have to be amputated. A hotel key from Des Moines was found in his pocket. Papers were also found with postmarks of Sing Sing and Chicago.

It is believed these men are the ones who blew the safe in the Bay City, Ohio, post-office a few weeks ago. They were about twenty-five years old. The injured bandit was taken to Sioux City.

CHANGE OF SCENE IN TARIFF FIGHT

This Week Senate Committee Will Do the Tinkering.

FREE LIST BILL WILL PASS TO-DAY

With That Out of Way, Democrats Will Take Up New Attack on Payne-Aldrich Bill, Centring on Wool Schedule—Lorimer's Friends Active.

Washington, May 7.—Congress will be busy this week with a diversity of subjects. Tariff tinkering will have a change of scene, the Senate Committee on Finance taking up the Canadian reciprocity bill with hearings expected to continue throughout the week. After the farmers' free list bill is passed to-morrow the Ways and Means Committee, behind closed doors, will prepare for the next assault on the Payne-Aldrich bill. Their centre of attack is to be the wool schedule. It will be several weeks in all probability before the committee is ready to report.

Among the important matters on the Senate program for the week are the election of a President pro tempore to succeed Senator Frye, who resigned that office; the proposed investigation of Senator Lorimer's right to retain his seat, and the resolution providing for popular election of Senators, passed by the House and favorably reported last week by the Senate Committee on Judiciary.

Some of the Progressive Senators, at a caucus to be held to-morrow, are expected to protest against the selection of Senator Gallinger, of New Hampshire, as Mr. Frye's successor. Senator Clark of Minnesota, is the candidate of the Progressives in opposition to the choice of the stand-patters. The only chance of defeating Mr. Gallinger, it is said, would be through an alliance between Progressive Republicans and Democrats, and such a union appears improbable.

Lorimer's Friends Active.

Actively in the proposed re-investigation of Mr. Lorimer's right to his seat will centre in the effort of Mr. La Follette to have his resolution, providing for an investigation by a special committee of new Senators, passed without reference. The opposition plan is to refer the resolution to the Committee on Privileges and Elections.

On the Senate calendar is the bill providing for the constitutional amendment changing the method of selecting United States Senators. There being no prospect of a report this week, passage of the bill, which provides for a reciprocity bill, the popular election measure may be called up for discussion.

The general program in the House for the week contemplates consideration of the week for Arizona and New Mexico, passage of the bill providing for various additional departmental investigations, and investigations into the United States Steel Corporation, sugar refineries and the American Cooled Company. Representative La Follette, chairman of the Ways and Means Committee, summed up the wool situation to-day when he said:

"After the House passes the free list bill to-morrow, the Ways and Means Committee will begin immediately the consideration of the wool schedule. It is true that there are differences in the party regarding wool, but I feel assured that we will be able to draft a bill acceptable to the party as a whole, and that it will be ready within a few weeks."

NOT YET IDENTIFIED

Negro Will Be Taken to the Mackay Home To-Day.

(Special to The Times-Dispatch.)

Washington, D. C., May 7.—George Williams, the negro who is being held in the Alexandria county jail awaiting identification by Mrs. Mackay, wife of Commonwealth Attorney Randall Mackay, to determine whether he is the man who attempted an assault on her a few nights ago, will be taken to the Mackay home to-morrow night, it was stated that Mrs. Mackay was ill as a result of her experience with the man who entered her room, and it was thought best to take Williams before her to-day.

STEAMER IS FLOATED

Tug Roosevelt Accomplishes It With Key West, Fla., May 7.—The Italian steamer Speranza, from continental ports, bound to New York and Genoa, which ran ashore on Molasses Reef about a week ago, has been floated by the wrecking tug Roosevelt by means of compressed air, and has proceeded to Jacksonville, accompanied by the Roosevelt.

WILL VISIT NEW ORLEANS

Battleship Idaho Then Will Proceed to New Orleans.

New Orleans, May 7.—Dispatches were received to-day that the battleship Idaho, of the third division, Atlantic fleet, will arrive in New Orleans Wednesday to remain five days. Leaving here the Idaho will proceed up the river making two and three-day stops at Donaldville, Plaquemine, Baton Rouge and Natchez. If the river stage permits the big vessel will spend three days at Vicksburg.

OKLAHOMA CITY GETS IT

Conference of Methodist Episcopal Churches, Where He Held There.

Nashville, Tenn., May 7.—It is officially announced to-night that Oklahoma City has been selected as the meeting place of the General Conference of the Methodist Episcopal Church, South, in 1911. The special committee which had the matter in hand was so notified to-day.

M'Lendon A CANDIDATE

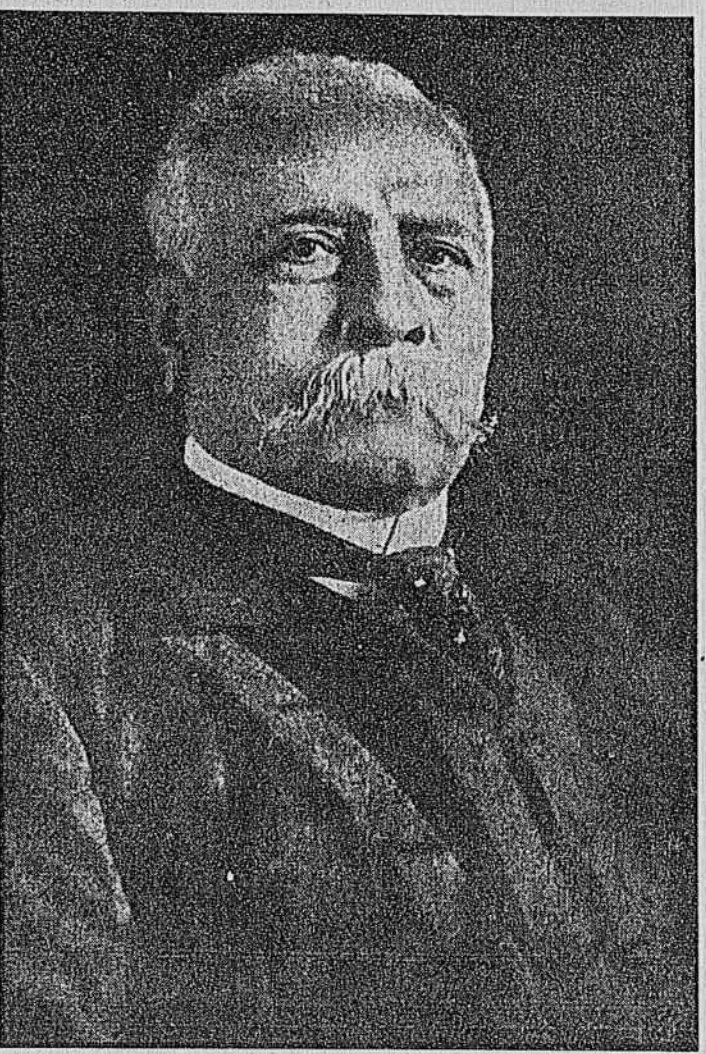
Will Make Race for Senate in Primary or Before Legislature.

Atlanta, Ga., May 7.—S. Guyton McLeod, former chairman of the Railroad Commission, announced his candidacy for the United States Senate to-day. In his formal announcement he states that he is willing to take the race either in a primary or before the Legislature.

Lajoie's Story

In the Illustrated Magazine of The Times-Dispatch next Sunday Larry Lajoie, champion baseball player, will tell his own story of his diamond career. This hero of the fans says he is just a plain, hard-working ball player, trying to earn a living, and he tells some things which no lover of the national game can afford to miss reading. This will be one of the liveliest features in a magazine live clear through.

Yields to Demands of Rebels



PORFIRIO DIAZ.

ADVANCE OF ARMY IS HALTED BY NEWS

Washington Quickly Hears of Movement of Insurrectos on Sudden Change in Mexican Situation.

BRINGS FEELING OF RELIEF MADERO IS JUBILANT

Taft Is Unofficially Advised, but Declines to Make Comment.

Washington, May 7.—President Taft and official Washington generally quickly learned of the sudden shift in the Mexican situation, the announcement of President Diaz that he would resign in the interest of peace, and the previous order of Francisco Madero for the trekking of the insurrection forces southward from the border and on toward the capital.

The news of the withdrawal of the insurrectionary forces from a position so close to the American towns as to constitute a constant source of friction and a menace to the good feeling between the two peoples was viewed here with relief, and the later announcement from Mexico of the President's self-effacement to effect peace in his troubled country was in line with the Washington administration's hope for peace and Mexican Ambassador Zamacona's recent prediction that peace soon would be restored.

When President Taft was unofficially advised of the succession of events in Mexico he had no comment to make public.

Jose Vasconcelos, Dr. Gomez's assistant, who took the place of Gomez as diplomatic agent here when the latter left to join Madero, to-night telegraphed to the editor of El Pais, at Mexico City:

"I appeal to the patriotism of your newspaper to deny rumors of American intervention, as up to the present time no such danger exists. American border demonstration would be highly improper and unjustifiable."

Mexico No Exception.

In connection with stories of possible invasion of Mexican soil, Brigadier General William W. Wotherspoon, head of the War College, explained that it was the business of the War College—along lines similar to the work of a naval board of strategy—to plan campaigns in time of peace as well as in war, and that from time to time practically every country on the globe is selected as the scene for hypothetical military operations. Mexico was no exception to the general rule, so far as this strategic planning is concerned.

Secretary General Gonzales Garcia, of the insurrecto party, in speaking of General Madero's orders directing the withdrawal of the insurrectos from the international line, declared that his action was in conformance with the American government's demand upon the Mexican government that American border towns must not be endangered by Mexican battles.

"The chief obstacle to peace has now been removed, and I believe quiet will soon be restored in my country," said Mr. Vasconcelos to-night.

To Wed Richmond Man.

(Special Cable to The Times-Dispatch.)

London, May 7.—The engagement of Dora, daughter of Sir Edwin Harris Dunning, of Stoodleigh Court, North Devon, to Guy Chalkley, of Richmond, Va., has been announced here.

DIAZ YIELDS TO DEMAND AND WILL RESIGN PRESIDENCY

Issues Manifesto to People of Mexico, Declaring His Intention of Quitting Office.

THUS ACCEDES TO ULTIMATUM OF REBEL CHIEF

He Reserves Right to Say When His Resignation Shall Be Given—It Will Not Be Until He Is Sure It Would Not Be Followed by Anarchy—Taken for Granted That Action Will Be Regarded as Entirely Satisfactory by Insurrectos, and That War Will End Speedily. News Not Sent Officially to Revolutionists.

Mexico City, May 7.—General Porfirio Diaz to-night issued a manifesto to the people of Mexico declaring his intention to resign the presidency as soon as peace is restored. In this manner the President has virtually acceded to the demands of Francisco I. Madero that he make announcement of such intention.

As to when peace is actually restored, General Diaz reserves the right to be the judge. In the words of the manifesto it will be "when, according to the dictates of my conscience, I am sure that my resignation will not be followed by anarchy."

The President declared that his determination not to relinquish the presidency at this time was not due to vanity, or love of power, because, as he pointed out, power at this time had no attraction, accompanied as it is by tremendous responsibilities and worries. He said he was prompted solely by a desire to conserve the best interests of his country.

Never Under Compulsion.

The President made it clear that he does not propose to abandon the presidency while his country is at war, and that he would not do so at any time under compulsion.

President Diaz's manifesto will be made public to-morrow morning, but it will not be sent officially to Judge Carbajal for formal transmission to Dr. Vasquez Gomez. The promise of the President is made to the people of Mexico, and its receipt by the revolutionists will be incidental.

That it will be sent to them immediately, however, by private individuals, and that it will be regarded as entirely satisfactory by them, is taken for granted.

It was at a Cabinet meeting this afternoon that General Diaz announced to his ministers his decision. For two hours and a half they discussed the terms of the manifesto, and at the conclusion of the meeting there remained nothing to do but to secure its official promulgation.

Only in a general way does the manifesto refer to the revolution. The government's position is that General Diaz could not have made a public statement at an earlier moment, and it is indicated that the revolutionists failed to observe the amenities of the peace negotiations by making them public. Officially, it was said to-night that Madero and his advisers were guilty of betraying an agreement by injecting into the conference, either secretly or openly, the question of the President's resignation. It was declared that it had been agreed to in confidence that this point should not be permitted to become an issue.

Discusses Conditions.

Prefacing the declaration of his willingness to retire, the President discussed the political conditions of the country and the efforts that have been made by the government to establish peace. He called attention to the progress already made in the direction of adopting the anti-re-election law, and declared that the project of the reform of the electoral laws and of the judiciary was being studied.

He showed further that the government in all its acts wished to conform to the demand of the public in so far as it is wise and for the best interests of the country.

Events leading to the beginning of negotiations for peace were taken up, and it was indicated that it was the disposition to take into consideration

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